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BY ECF

Honorable Judge Orelia E. Merchant
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *State Farm Mutual Automobile Insurance Company, et al., v. Eclipse Medical Imaging, P.C.*, Index No. 23-cv-3124; Motion to Adjourn and Set Briefing Schedules

Dear Judge Merchant:

We write on behalf of Defendant Eclipse Medical Imaging, PC to request an adjournment of the hearing currently scheduled for August 15, 2023 to September 14, 2023, or any date thereafter convenient for the Court and to set a briefing schedule for the motions for a preliminary injunction and default judgment such that Defendant's opposition papers are due filed on or by September 7, 2023. Plaintiffs consent to this request.

We request this extension because Defendant only recently retained counsel, who need this extension to review the Complaint and pending motions before responding. Indeed, Defendant only received notice of this matter a few days ago when it received a copy of Plaintiff's motion for a preliminary injunction. Although Plaintiff apparently served the Complaint on Defendant via the New York Secretary of State, Defendant has not received a copy of the Complaint from the Secretary of State. Defendant additionally believes the parties can use this time to resolve the pending motion for default.

The parties have not requested any prior extension. Should this extension be granted, no other currently-scheduled appearances or deadlines would be affected.

Thank you for your consideration of this letter.

Respectfully,

/s/ _____

Cc: All Counsel via ECF

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